

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IT'S ALL WIRELESS, INC. t/a	:	
PRO MOBILE GEAR,	:	
Plaintiff,	:	
	:	
v.	:	CIVIL ACTION NO. 10-6704
	:	
WOOT, INC. <i>et al.</i> ,	:	
Defendants.	:	
	:	

O R D E R

AND NOW, this 12th day of February 2014, upon consideration of the pending motions and the responses thereto, and for the reasons explained in the attached Memorandum Opinion, it is hereby **ORDERED** that:

1. Plaintiff's Emergency Motion to Compel Discovery [Doc. No. 111] is **DENIED**.
2. Plaintiff's Motion for Leave to File Second Amended Complaint [Doc. No. 112] is **DENIED**.
3. Defendant's Cross-Motion to Dismiss, or in the Alternative, its Opposition to Plaintiff's Emergency Motion to Compel Discovery and Cross-Motion for a Protective Order [Doc. No. 115] is **GRANTED** as follows: All of Plaintiff's affirmative claims are **DISMISSED WITH PREJUDICE**. The only remaining claims in this litigation are Woot's counterclaims.
4. The parties shall submit to the Court within **seven** days a joint status report with a statement as to whether they believe a settlement conference before a magistrate judge, mediation under Local Civil Rule 53.3, or some other form of alternative dispute resolution might be of assistance in resolving the counterclaims, or whether the parties would consent to binding

arbitration. In the event that the parties do not agree to binding arbitration or mediation, they shall provide the Court with a joint proposed schedule for trial.

It is so **ORDERED**.

BY THE COURT:

/s/ **Cynthia M. Rufe**

CYNTHIA M. Rufe, J.